

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **3:12-CR-253**
v. :
THEODOROS KYRIAKOPOULOS : **(Judge Caputo)**
: **(Electronically Filed)**

MOTION TO MODIFY CONDITIONS OF RELEASE

AND NOW comes the Defendant, Theodoros Kyriakopoulos, by and through his attorney, Hervery B. O. Young, Assistant Federal Public Defender, and files the following Motion to Modify the Conditions of Release. In support thereof, it is averred as follows:

1. That on October 3, 2012, an Indictment was filed charging Theodoros Kyriakopoulos with arson of a property used in interstate commerce, a violation of 18 U.S.C. §844 and mail fraud, a violation of 18 U.S.C. § 1341.
2. On October 16, 2012, Kyriakopoulos appeared before United States Magistrate Judge Malachy E. Mannion for purposes of an initial appearance. Kyriakopoulos was detained pending a detention hearing on October 19, 2012.
3. On October 19, 2012, a detention hearing was held. Kyriakopoulos was detained due to the Greece passport concerns. A second detention hearing was scheduled for October 20, 2012.

4. On October 20, 2012, Kyriakopoulos was released with a condition of Home Confinement with electronic monitoring pending notification to the Consulate General of Greece of the status of his passport.

5. On October 24, 2012, Pretrial Services faxed a letter to the Consulate General of Greece to notify them of Kyriakopoulos' status and the status of his passport.

6. On October 25, 2012, defense counsel notified the Consulate General of Greece via telephone of Kyriakopoulos' status and the status of his passport.

7. On October 25, 2012, defense counsel received correspondence from Fortis Gounelas of the Greece Consulate acknowledging that they received the paperwork regarding the status of Kyriakopoulos. A copy of the correspondence is attached hereto as Exhibit "A".

8. The Court notified the parties that the condition of Home Confinement with electronic monitoring was set to assure the Consulate is aware of defendant's status in order to prevent defendant from securing a new passport and that this condition will be removed if the Consulate provides proof that it is aware of defendant's status and the status of his passport.

9. For the above stated reasons, Kyriakopoulos respectfully requests the court modify the conditions of his release by terminating the condition of Home

Confinement with electronic monitoring.

10. The Government, by and through Assistant United States Attorney Meredith Taylor, does not concur in the filing of this motion.

WHEREFORE, the Defendant, Theodoros Kyriakopoulos, respectfully requests that this Honorable Court modify the conditions of release to remove the condition of Home Confinement with electronic monitoring.

Respectfully submitted,

s/Hervery B. O. Young

Hervery B. O. Young

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Attorney for Theodoros Kyriakopoulos

October 31, 2012

CERTIFICATE OF SERVICE

I, Hervery B. O. Young, Assistant Federal Public Defender, do hereby certify that this document, the foregoing **Motion to Modify Conditions of Release**, filed electronically through the ECF system, will be sent to the Registered Participants as identified on the Notice of Electronic Filing, including the following

Meredith Taylor, Esquire
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Theodoros Kyriakopoulos

s/Hervery B. O. Young
Hervery B. O. Young

October 31, 2012